

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

|                            |   |                    |
|----------------------------|---|--------------------|
| -----X                     | : |                    |
| EM LTD.,                   | : | 03 Civ. 2507 (TPG) |
| Plaintiff,                 | : |                    |
|                            | : |                    |
| v.                         | : |                    |
|                            | : |                    |
| THE REPUBLIC OF ARGENTINA, | : |                    |
| Defendant.                 | : |                    |
| -----X                     | : |                    |

### **OMNIBUS ORDER**

**UPON THE FILING AND REVIEW OF** (a) Plaintiffs' *Ex Parte* Omnibus Motion dated August 9, 2011, (b) the Memorandum of Law in Support of Plaintiffs' *Ex Parte* Motion for Order of Restraint and Issuance of Writ of Execution dated August 9, 2011, (c) the Declaration of Charles Platto dated August 9, 2011, and (d) all pleadings, papers and evidence submitted in connection with the above-captioned actions;

### **SUFFICIENT CAUSE BEING ALLEGED THEREFORE, IT IS HEREBY:**

**ORDERED** EM's attorneys and their respective employees or agents are hereby specially appointed pursuant to Federal Rule of Civil Procedure ("Fed. R. Civ. P.") 4.1, to serve on any garnishee located within the jurisdiction of this Court, a Writ of Execution issued on this date pursuant to Fed. R. Civ. P. 64 & 69, §§ 5230 and 5222 of the New York Civil Practice Law and Rules ("CPLR"), and the Foreign Sovereign Immunities Act, 28 U.S.C. §§ 1601 *et seq.*, thereby levying upon each such garnishee pursuant to so as to maintain priority pursuant to CPLR § 5234 in relation to other creditors of Argentina while Plaintiffs' application is pending;

**FURTHER ORDERED** that pursuant to Fed. R. Civ. P. 64 & 69, CPLR § 5230, and 28 U.S.C. § 1610(c), NML's attorneys, EM's attorneys, and their respective employees are authorized to deliver to the U.S. Marshals Service for the Southern District of New York (the "**U.S. Marshal**") writs of execution issued on this date and directed to the Property, which are to be levied by service immediately pursuant to CPLR § 5232 upon any located garnishee within the jurisdiction of this Court, so as to maintain priority pursuant to CPLR § 5234 in relation to other creditors of Argentina while Plaintiffs' application is pending;

**FURTHER ORDERED** that the U.S. Marshal is directed to defer seizure of any Property from any garnishee located within the jurisdiction of this Court pending further order of this Court;

**FURTHER ORDERED** that pursuant to CPLR § 5232(a), the levies effected pursuant to service of the writs of execution on any garnishee located within the jurisdiction of this Court are extended until 30 days following final resolution of Plaintiffs' application, including any related appeals, proceedings on remand, and any subsequent appeals;

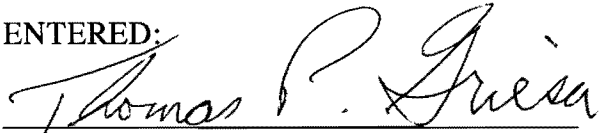
**FURTHER ORDERED** that pursuant to CPLR § 5230(c), the time for the U.S. Marshal to serve the writs of execution and to return said executions to the Clerk of the Court is extended an additional 60 days;

**FURTHER ORDERED** EM's attorneys, and their respective employees or agents, shall effect personal service of this Omnibus Order and the papers upon which it is based, upon counsel for Argentina – Cleary, Gottlieb Steen & Hamilton, One Liberty Plaza, New York, New York 10006, attention Carmine Boccuzzi, Esq.; and

**FURTHER ORDERED** that opposing papers, if any, are to be served upon counsel for EM, Charles Platto, 1020 Park Avenue, Suite 6B, New York, NY 10028, (212) 423-0579, cplatto@plattolaw.com.

Dated: New York, New York  
August 9, 2011  
3:30 P.M.

ENTERED:

  
United States District Judge

Submitted by:

Law Offices of Charles Platto

By: /s/ Charles Platto  
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*Attorney for Plaintiff EM Ltd.*